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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR 06-00105 CW
11 v. Plaintiff,) STIPULATION AND ORDER TO
12 JUSTIN KING,) MODIFY BRIEFING SCHEDULE
13 Defendant.) AND EXCLUDE TIME
14 _____) Date: Sept. 25, 2006
15 _____) Time: 2:00 p.m.
_____) Court: Hon. Claudia Wilken
_____) U.S. District Court

16 According to the schedule set by the Court at defendant's last appearance on May 15, 2006,
17 defendant's pretrial motions were due to be filed by July 24, 2006. At this time, defendant is still
18 in the process of completing his investigation into the facts of this case and obtaining outstanding
19 discovery, and is also in conversation with the government regarding possible disposition. For
20 these reasons, and to afford defendant additional time to complete his investigation, obtain and
21 review outstanding discovery, and to pursue possible disposition, parties stipulate and agree that
22 the briefing schedule in this matter should be modified as follows:

23 Defendant's motion due to be filed by August 14, 2006;

24 Government's opposition due to be filed by August 28, 2006;

25 Defendant's reply due to be filed by September 11, 2006.

26 The status hearing date of September 25, 2006 remains unchanged.

1 The parties further stipulate and agree that the time between today's date and August 14,
2 2006 should be excluded for purposes of the Speedy Trial Act, and that the ends of justice served
3 by excluding the time from today's date through August 14, 2006, outweigh the best interests of
4 the public and the defendant in a speedy trial, and that the failure to afford defendant this time for
5 preparation and filing of motions would deny counsel for defendant the reasonable time necessary
6 for effective preparation, taking into account the exercise of due diligence, and would
7 unreasonably deny the defendant continuity of counsel. See 18 U.S.C. §3161(h)(8)(A) & (B)(iv).

9 || SO STIPULATED.

10 | Dated: August 3, 2006 /S/

HILARY A. FOX
Attorney for Defendant KING

12 | SO STIPULATED.

13 | Dated: August 3, 2006 /S/

ALICIA FENRICK
Assistant United States Attorney

SIGNATURE ATTESTATION

17 I hereby attest that I have on file all holograph signatures indicated by a "conformed"
18 signature ("S") within this efiled document.

ORDER

2 Based on the reasons provided in the stipulation of the parties above, the Court adopts the
3 briefing schedule proposed by the parties, and based on these findings, IT IS HEREBY
4 ORDERED THAT the briefing schedule is modified as follows: defendant's motion due to be
5 filed by August 14, 2006; government's opposition due to be filed by August 28, 2006;
6 defendant's reply due to be filed by September 11, 2006.

7 The Court further FINDS that the ends of justice served by excluding the time from today's
8 date through August 14, 2006, outweigh the best interests of the public and the defendant in a
9 speedy trial, and that the failure to afford defendant this time for preparation and filing of motions
10 would deny counsel for defendant the reasonable time necessary for effective preparation, taking
11 into account the exercise of due diligence, and would unreasonably deny the defendant continuity
12 of counsel. See 18 U.S.C. §3161(h)(8)(A) & (B)(iv).

14 || IT IS SO ORDERED.

Dated: August 10, 2006

Claudia Wilken

CLAUDIA WILKEN
United States District Court